



Attorney's Docket No.: 073305.P083

Patent

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

TRANSCEIVER WITH LATENCY ALIGNMENT CIRCUITRY

the specification of which

is attached hereto.  
 was filed on December 9, 1999 as  
United States Application Number 09/458,582  
or PCT International Application Number \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on April 24, 2000  
Date of Deposit  
CHRISTOPHER P. MARSHALL  
Name of Person Mailing Correspondence  
C. Marshall 4/24/00  
Date

**Prior Foreign Application(s)**

**Priority  
Claimed**

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

(Application Number)	Filing Date
(Application Number)	Filing Date

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(Application Number)	Filing Date	(Status -- patented, pending, abandoned)
(Application Number)	Filing Date	(Status -- patented, pending, abandoned)

I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to Judith A. Szepesi; BLAKELY, SOKOLOFF, TAYLOR &  
(Name of Attorney or Agent)  
ZAFMAN LLP, 12400 Wilshire Boulevard 7th Floor, Los Angeles, California 90025 and direct  
telephone calls to Judith A. Szepesi, (408) 720-8300.  
(Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Kevin Donnelly

Inventor's Signature Kevin Donnelly Date 2/11/00

Residence Los Altos, CA (City, State) Citizenship U.S.A. (Country)

Post Office Address 585 Giralda Drive  
Los Altos, CA 94024

Full Name of Second/Joint Inventor Mark Johnson

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Los Altos, California (City, State) Citizenship U.S.A. (Country)

Post Office Address 125 Arbuelo Way  
Los Altos, CA 94022

Full Name of Third/Joint Inventor Chanh Tran

Inventor's Signature Chanh Date 2/14/00

Residence San Jose, California (City, State) Citizenship U.S.A. (Country)

Post Office Address 3009 Breen Court  
San Jose, CA 95121

Full Name of Fourth/Joint Inventor \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_ Citizenship \_\_\_\_\_  
(City, State) (Country)

Post Office Address \_\_\_\_\_

## APPENDIX A

William E. Alford, Reg. No. 37,764; Farzad E. Amini, Reg. No. P42,261; Aloysius T. C. AuYeung, Reg. No. 35,432; William Thomas Babbitt, Reg. No. 39,591; Carol F. Barry, Reg. No. 41,600; Jordan Michael Becker, Reg. No. 39,602; Bradley J. Bereznak, Reg. No. 33,474; Michael A. Bernadicou, Reg. No. 35,934; Roger W. Blakely, Jr., Reg. No. 25,831; Gregory D. Caldwell, Reg. No. 39,926; Ronald C. Card, Reg. No. P44,587; Thomas M. Coester, Reg. No. 39,637; Stephen M. De Clerk, under 37 C.F.R. § 10.9(b); Michael Anthony DeSanctis, Reg. No. 39,957; Daniel M. De Vos, Reg. No. 37,813; Robert Andrew Diehl, Reg. No. 40,992; Matthew C. Fagan, Reg. No. 37,542; Tarek N. Fahmi, Reg. No. 41,402; James Y. Go, Reg. No. 40,621; James A. Henry, Reg. No. 41,064; Willmore F. Holbrow III, Reg. No. P41,845; Sheryl Sue Holloway, Reg. No. 37,850; George W Hoover II, Reg. No. 32,992; Eric S. Hyman, Reg. No. 30,139; Dag H. Johansen, Reg. No. 36,172; William W. Kidd, Reg. No. 31,772; Erica W. Kuo, Reg. No. 42,775; Michael J. Mallie, Reg. No. 36,591; Andre L. Marais, under 37 C.F.R. § 10.9(b); Paul A. Mendonsa, Reg. No. 42,079; Duran J. Milliken, Reg. 42,004; Lisa A. Norris, Reg. No. P44,976; Chun M. Ng, Reg. No. 36,878; Thien T. Nguyen, Reg. No. 43,835; Thinh V. Nguyen, Reg. No. 42,034; Dennis A. Nicholls, Reg. No. 42,636; Kimberley G. Nobles, Reg. No. 38,255; Daniel E. Ovanezian, Reg. No. 41,236; Babak Redjaian, Reg. No. 42,096; William F. Ryann, Reg. 44,313; James H. Salter, Reg. No. 35,668; William W. Schaal, Reg. No. 39,018; James C. Scheller, Reg. No. 31,195; Jeffrey Sam Smith, Reg. No. 39,377; Maria McCormack Sobrino, Reg. No. 31,639; Stanley W. Sokoloff, Reg. No. 25,128; Judith A. Szemrot, Reg. No. 39,393; Vincent P. Tassinari, Reg. No. 42,179; Edwin H. Taylor, Reg. No. 25,129; John F. Travis, Reg. No. 43,203; George G. C. Tseng, Reg. No. 41,355; Joseph A. Twarowski, Reg. No. 42,191; Lester J. Vincent, Reg. No. 31,460; Glenn E. Von Tersch, Reg. No. 41,364; John Patrick Ward, Reg. No. 40,216; Charles T. J. Weigell, Reg. No. 43,398; Kirk D. Williams, Reg. No. 42,229; James M. Wu, Reg. No. P45,241; Steven D. Yates, Reg. No. 42,242; Ben J. Yorks, Reg. No. 33,609; and Norman Zafman, Reg. No. 26,250; my patent attorneys, and Andrew C. Chen, Reg. No. 43,544; Justin M. Dillon, Reg. No. 42,486; Paramita Ghosh, Reg. No. 42,806; and Sang Hui Kim, Reg. No. 40,450; my patent attorneys, and BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP, with offices located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone (310) 207-3800, and James R. Thein, Reg. No. 31,710, my patent attorney.

## APPENDIX B

### Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclosure all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made or record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.
- A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.
- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



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**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

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**TRANSCEIVER WITH LATENCY ALIGNMENT CIRCUITRY**

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on April 24, 2000 Date of Deposit  
CHRISTOPHER P. MARSHALL Name of Person Mailing Correspondence  
C. Marshall 4/24/00  
Signature

**Prior Foreign Application(s)**

**Priority  
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(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
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(Name of Attorney or Agent)

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Full Name of Sole/First Inventor Kevin Donnelly

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Los Altos, CA Citizenship U.S.A.  
(City, State) (Country)

Post Office Address 585 Giralda Drive  
Los Altos, CA 94024

Full Name of Second/Joint Inventor Mark Johnson

Inventor's Signature Mark H. Johnson Date 25 Feb 2000

Residence Los Altos, California Citizenship U.S.A.  
(City, State) (Country)

Post Office Address 125 Arbuelo Way  
Los Altos, CA 94022

Full Name of Third/Joint Inventor Chanh Tran

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence San Jose, California Citizenship U.S.A.  
(City, State) (Country)

Post Office Address 3009 Breen Court  
San Jose, CA 95121

Full Name of Fourth/Joint Inventor \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_ Citizenship \_\_\_\_\_  
(City, State) (Country)

Post Office Address \_\_\_\_\_  
\_\_\_\_\_

APPENDIX A

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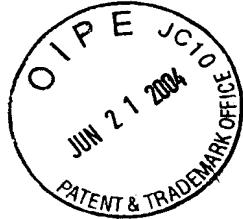
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(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

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Attorney's Docket No.: 073305.P083

Patent

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION  
BY AN ADMINISTRATOR(TRIX), EXECUTOR(TRIX), OR LEGAL REPRESENTATIVE

I Nancy D. Dillon hereby declare  
(name of administrator(trix), executor(trix), or legal rep.)

that

My residence, post office address, and citizenship are as stated below, next to my name and I am the

       administrator of the estate of:  
 executor of the last will and testament of:  
       legal representative(s) of:

John B. Dillon  
(name of deceased)

deceased, late a citizen of USA, and a resident of Palo Alto, California, and that I believe said deceased to be

       the original, first, and sole inventor  
 an original, first, and joint inventor

of the subject matter which is claimed and for which a patent is sought on the invention entitled:  
TRANSCEIVER WITH LATENCY ALIGNMENT CIRCUITRY  
(title of patent application)

the specification of which

       is attached hereto.  
 was filed on December 9, 1999 as  
United States Application Number 09/458,582  
or PCT International Application Number \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

Upon information and belief, the other joint inventors are as follows:

Full Name of Joint Inventor Kevin Donnelly

Residence Los Altos, CA Citizenship USA

Post Office Address 585 Giralda Drive  
Los Altos, CA 94024

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on April 24, 2000

Christopher P. Marshall  
Name of Person Mailing Correspondence  
Christopher P. Marshall  
Signature  
Date 4/24/00

Full Name of Joint Inventor Mark Johnson

Residence Los Altos, CA Citizenship USA

Post Office Address 125 Arbuelo Way  
Los Altos, CA 94022

Full Name of Joint Inventor Chanh Tran

Residence San Jose, CA Citizenship USA

Post Office Address 3009 Breen Court  
San Jose, CA 95121

I hereby state that I have reviewed and understand to the best of my ability the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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<u>Prior Foreign Application(s)</u>	<u>Priority Claimed</u>			
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

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Send correspondence to Lester J. Vincent, BLAKELY, SOKOLOFF, TAYLOR & (Name of Attorney or Agent)  
ZAFMAN LLP, 12400 Wilshire Boulevard 7th Floor, Los Angeles, California 90025 and direct telephone calls to Lester J. Vincent, (408) 720-8300. (Name of Attorney or Agent)

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Proof of my authority to act on behalf of the deceased inventor

is submitted herewith, or  
 is unavailable at present but will be submitted prior to issuance of any patent granted on said application.

Full Name of Administrator(trix), Executor(trix), or Legal Representative:

Nancy D. Dillon

Administrator(trix)'s, Executor(trix)'s or Legal Representative's Signature:

Nancy David Dillon (signature) Date 4/15/00

Residence Washington, VA (city/state) Citizenship USA (Country)

Post Office Address 350 Fodderstack Road  
Washington, VA 22747

APPENDIX A

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## APPENDIX B

### Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclosure all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made or record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): PETER LaBOSKEY, ESQ. (SBN: 71571) WILSON SONSINI GOODRICH & ROSATI 650 Page Mill Road Palo Alto, CA 94304		TELEPHONE AND FAX NOS.: 650/493-9300
ATTORNEY FOR (Name): NANCY DAVID DILLON		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA		
STREET ADDRESS: 191 N. FIRST STREET		
MAILING ADDRESS: SAME		
CITY AND ZIP CODE: PALO ALTO, CA 94304-1050		
BRANCH NAME: N/A		
ESTATE OF (Name): JOHN B. DILLON AKA JOHN BRADLY DILLON		DECEDENT
<input checked="" type="checkbox"/> TESTAMENTARY <input type="checkbox"/> OF ADMINISTRATION WITH WILL ANNEXED		<input type="checkbox"/> OF ADMINISTRATION <input type="checkbox"/> SPECIAL ADMINISTRATION
LETTERS		

FOR COURT USE ONLY

**FILED**

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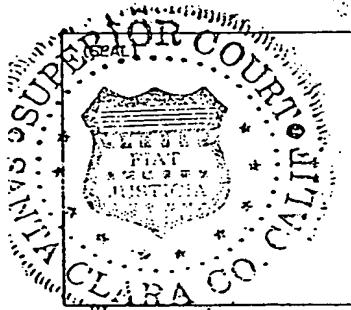
SUPERIOR COURT  
SANTA CLARA COUNTY  
BY *[Signature]*

CASE NUMBER:  
*1-98-PR-142587*

## LETTERS

- The last will of the decedent named above having been proved, the court appoints (name):  
**NANCY DAVID DILLON**
  - executor.
  - administrator with will annexed.
- The court appoints (name):
  - administrator of the decedent's estate.
  - special administrator of decedent's estate
    - with the special powers specified in the *Order for Probate*.
    - with the powers of a general administrator.
    - letters will expire on (date):
- The personal representative is authorized to administer the estate under the Independent Administration of Estates Act  with full authority  
 with limited authority (no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
- The personal representative is not authorized to take possession of money or any other property without a specific court order.

WITNESS, clerk of the court, with seal of the court affixed.



Date: **APR 06 1998**  
 Clerk, by **Stephen V. Love**  
*[Signature]*  
 (DEPUTY)  
**F.A. PALACIO**

Form Approved by the  
Judicial Council of California  
DE-150 (Rev. January 1, 1998)



LETTERS  
(Probate)

Date: **APR 06 2000**  
 Clerk, by **Stephen V. Love**  
**Chief Executive Officer**  
*[Signature]*  
 (DEPUTY)

Probate Code, §§ 1001, 8403,  
8405, 8544, 8545;  
Code of Civil Procedure, § 2015.6